

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

**FILED**

APR 28 2005

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 42755

IN THE MATTER OF THE COMPLAINT BY UNITED )  
TELEPHONE COMPANY OF INDIANA, INC. D/B/A )  
SPRINT AGAINST KANKAKEE VALLEY RURAL )  
ELECTRIC MEMBERSHIP CORPORATION )  
CONCERNING THE FAILURE AND REFUSAL OF )  
KANKAKEE VALLEY RURAL ELECTRIC )  
MEMBERSHIP CORPORATION TO NEGOTIATE )  
REASONABLE COMPENSATION PERMITTING )  
SPRINT TO USE POLES AND OTHER EQUIPMENT )  
OWNED BY KANKAKEE LOCATED ON, OVER, OR )  
UNDER VARIOUS STREETS AND HIGHWAYS )  
)  
RESPONDENT: KANKAKEE VALLEY RURAL )  
ELECTRIC MEMBERSHIP CORPORATION )

You are hereby notified that on this date the Presiding Officer in this Cause makes the following Entry:

Kankakee Valley Rural Electric Membership Corporation's ("KV REMC's") Appeal to the Full Commission, filed in this Cause on April 6, 2005, was decided by the Indiana Utility Regulatory Commission ("Commission") at its April 27, 2005 Conference. At that Conference, the Commission voted unanimously to uphold the ruling in the March 29, 2005 Docket Entry that denied the Motion to Dismiss filed in this Cause by KV REMC on January 14, 2005.

In addition, on April 11, 2005, United Telephone Company of Indiana, Inc. d/b/a Sprint and Indiana Bell Telephone Company, Incorporated, filed a Request for Prehearing Conference and Preliminary Hearing in order to establish a procedural schedule. A Docket Entry issued in this Cause on December 20, 2004, stated that a Prehearing Conference would be rescheduled upon written motion by any party.

Accordingly, a Prehearing Conference has been rescheduled in this Cause for June 13, 2005, at 9:30 a.m., EST, in Room E-306 of the Indiana Government Center South, Indianapolis, Indiana.

**IT IS SO ORDERED.**

*William A. Divine*  
William G. Divine, Administrative Law Judge

Date: 4-28-05